

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Toshio ARIYASU et al

Art Unit: 1646

Application No.: 09/617,545

Examiner: C. Kaufman

Filed: July 14, 2000

Washington, D.C.

For: HEDGEHOG PROTEIN

Atty.'s Docket: ARIYASU=1A

Confirmation No.:

Date: September 10, 2001

THE COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

Sir:

Transmitted herewith is a [XX] REPLY TO RESTRICTION REQUIREMENT in the above-identified application.

- [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
 [] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
 [XX] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS ** 20	0
INDEP.	*	MINUS *** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			

ADDITIONAL FEE TOTAL \$

SMALL ENTITY		
RATE	ADDITIONAL FEE	
x 9	\$	
x 40	\$	
+ 135	\$	
ADDITIONAL FEE TOTAL		\$

OTHER THAN SMALL ENTITY		
RATE	ADDITIONAL FEE	
x 18	\$	
x 80	\$	
+ 270	\$	
TOTAL		\$

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
 [] Second - \$ 195.00
 [] Third - \$ 445.00
 [] Fourth - \$ 695.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [] First - \$ 110.00
 [] Second - \$ 390.00
 [] Third - \$ 890.00
 [] Fourth - \$ 1390.00

Month After Time Period Set

[] Less fees (\$_____) already paid for ____ month(s) extension of time on _____.

[] Please charge my Deposit Account No. 02-4035 in the amount of \$_____.

[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$_____.

[] A check in the amount of \$_____ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

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By: _____
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: ARIYASU=1A

In re Application of:) Art Unit: 1646
Torshio ARIYASU et al)
Appln. No.: 09/617,545) Examiner: C. Kaufman
Date Filed: July 14, 2000)
For: HEDGEHOG PROTEIN) Washington, D.C.
) September 10, 2001.

JW

REPLY TO RESTRICTION REQUIREMENT

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

Replying to the Office Action of August 15, 2001,
please amend as follows:

IN THE CLAIMS

Attached hereto is a marked-up version of the
changes made to the claims by the current amendment. The
attached version is captioned "Version with Markings to Show
Changes Made".

Rewrite claim 11 in amended form as follows:

Amend C2)
11. (Amended) A process for producing a hedgehog
protein which comprises allowing expression of a DNA that
encodes a desert hedgehog protein of human origin, and
collecting the generated hedgehog protein.